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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,852	03/10/2004	Brian Taraci	74200.926CIP	3730
22804	7590	01/15/2009	EXAMINER	
THE HECKER LAW GROUP			KRISHNAN, VIVEK V	
1925 CENTURY PARK EAST				
SUITE 2300			ART UNIT	PAPER NUMBER
LOS ANGELES, CA 90067			2445	
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			01/15/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/797,852	TARACI, BRIAN	
	<b>Examiner</b>	<b>Art Unit</b>	
	VIVEK KRISHNAN	2445	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 08 October 2008.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 38-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 38-52 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ .  | 6) <input type="checkbox"/> Other: _____ .                        |

## **DETAILED ACTION**

This action is responsive to the Amendment/Arguments filed on October 8, 2008. Claims 38-52 are pending.

### ***Response to Amendment***

1. Claims 1-37 have been cancelled. Claims 38-52 have been added and are currently pending.

### ***Response to Arguments***

2. Applicant's arguments with respect to Claim Rejections under 35 U.S.C. 102 and 35 U.S.C. 103 have been fully considered but they are not persuasive.

In particular, with respect to new Claims 38-52, Applicant argues that the prior art does not teach signals being passing between first and second configurable ports in a manner transparent to the controllable electronic device and its controller. In this argument, Applicant defines a manner transparent to the controller to mean that the controller and controllable electronic device do not need to be modified to use a new protocol for communicating with each other and do not need to be aware of the web access apparatus' presence or existence.

As indicated in the 35 U.S.C. 112, first paragraph, rejection given below, the transfer of control signals in a transparent manner is not defined or described in Applicant's original written description. However, assuming arguendo that this limitation is present in Applicant's original disclosure, Elson, paragraph 115, teaches directly accessing a resource without the mediation of

the resource managers and hence in a manner transparent to the controller and the controllable resource.

***Claim Objections***

3. Claims 47-50 and 52 are objected to because of the following informalities: the claims should be amended to depend on independent Claim 46 or otherwise be corrected to depend on a method claim. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 38-52 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 38 and 46 recite the limitation "in a manner transparent to said first controller and said first controllable electronic device". Support for this limitation is absent in Applicant's originally filed disclosure.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 38-41, 43-48, and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0014521 to Elson et al. (hereinafter "Elson") and further in view of U.S. Patent No. 6,139, 177 to Venkatraman et al. (hereinafter "Venkatraman").

8. As to Claim 38, Elson discloses an apparatus for providing universal web access functionality to one or more electronic devices comprising:

a plurality of configurable Input/Output ports (Elson; Figures 10, 20, and 30);

a first of said plurality of configurable Input/Output ports configured to connect to a first controllable electronic device and to obtain status information about said first controllable electronic device (Elson; paragraphs 3, 114-116, 145, and 147-148; checking the status of the resource);

a second of said plurality of configurable Input/Output ports configured to connect to a first controller and to receive control signals from said first controller for controlling said first controllable electronic device, said second of said plurality of configurable Input/Output ports configured to pass said control signals received from said first controller through to said first of

said plurality of configurable Input/Output ports in a manner transparent to said first controller and said first controllable electronic device (Elson; paragraphs 3, 114-116, and 147-148; passing control signals transparently between controller and resource);

Elson does not explicitly disclose, however Venkatraman discloses a web server configured to serve a web page providing said status information about said first controllable electronic device (Venkatraman; Figures 2-3, column 1 lines 62-67 and column 2 lines 1-29; web server with web page to provide status information about resources).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a contention manager, as disclosed by Elson, to include a web server, as disclosed by Venkatraman, in order to provide web access functionality to a device (Venkatraman; column 1 lines 62-67 and column 2 lines 1-29).

9. As to Claim 39, Elson and Venkatraman disclose each and every limitation of Claim 38. Elson further discloses a contention manager managing access to said first of said plurality of configurable Input/Output ports (Elson; paragraphs 3, 114-116, and 147-148; resource manager).

10. As to Claim 40, Elson and Venkatraman disclose each and every limitation of Claim 39. Elson further discloses wherein said contention manager is configured to prevent access by one or more services to said first of said plurality of configurable Input/Output ports while a control signal received from said first controller via said second of said plurality of configurable Input/Output ports is being passed through to said first of said plurality of configurable

Input/Output ports (Elson; paragraphs 3, 114-116, 140, and 147-148, preventing simultaneous access).

11. As to Claim 41, Elson and Venkatraman disclose each and every limitation of Claim 40. Elson further discloses wherein said one or more services comprise an event monitoring service for monitoring a status of said first controllable electronic device (Elson; paragraphs 3, 114-116, 145, and 147-148; monitoring status of resource).

12. As to Claim 43, Elson and Venkatraman disclose each and every limitation of Claim 38. Elson further discloses a pass-through service for configuring said first and second of said plurality of configurable Input/Output ports such that signals received at said second of said plurality of configurable Input/Output ports are passed through to said first of said plurality of configurable Input/Output ports (Elson; paragraphs 3, 114-116, 140, and 147-148).

13. As to Claim 44, Elson and Venkatraman disclose each and every limitation of Claim 38. Elson further discloses wherein said first and second configurable Input/Output ports are configured as serial Input/Output ports (Elson; paragraphs 251, 253, and 259; serial ports).

14. As to Claim 45, Elson and Venkatraman disclose each and every limitation of Claim 38. Venkatraman further discloses wherein said web server is configured to receive control information for controlling said first controllable electronic device via said web page

(Venkatraman; Figures 2-3, column 1 lines 62-67 and column 2 lines 1-29; web server receives information to control resource).

15. As to Claim 46, Elson discloses a method for providing universal web access functionality to one or more electronic devices comprising:

providing a plurality of configurable Input/Output ports on a web access apparatus (Elson; Figures 10, 20, and 30);

configuring a first of said plurality of configurable Input/Output ports to receive a control signal from a first controller for controlling a first controllable electronic device (Elson; paragraphs 3, 114-116, 145, and 147-148; receiving control signal);

configuring a second of said plurality of configurable Input/Output ports to receive status information from said first controllable electronic device (Elson; paragraphs 3, 114-116, 145, and 147-148; checking the status of the resource);

configuring said first and second of said plurality of configurable Input/Output ports to pass said first control signal from said first of said plurality of configurable Input/Output ports through to said second of said plurality of configurable Input/Output ports and to pass said status information from said second of said plurality of configurable Input/Output ports through to said first of said plurality of configurable Input/Output ports in a manner transparent to said first controller and said first controllable electronic device (Elson; paragraphs 3, 114-116, and 147-148; passing control signals transparently between controller and resource);

Elson does not explicitly disclose, however Venkatraman discloses configuring said web access apparatus to serve a web page providing said status information about said first

controllable electronic device (Venkatraman; Figures 2-3, column 1 lines 62-67 and column 2 lines 1-29; web server with web page to provide status information about resources).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a contention manager, as disclosed by Elson, to include a web server, as disclosed by Venkatraman, in order to provide web access functionality to a device (Venkatraman; column 1 lines 62-67 and column 2 lines 1-29).

16. As to Claim 47, Elson and Venkatraman disclose each and every limitation of Claim 46. Elson further discloses configuring said web access apparatus to prevent access to said first and second of said plurality of configurable Input/Output ports by other services when a signal is being passed from said first of said plurality of Input/Output ports to said second of said plurality of Input/Output ports (Elson; paragraphs 3, 114-116, 140, and 147-148, preventing simultaneous access).

17. As to Claim 48, Elson and Venkatraman disclose each and every limitation of Claim 46. Elson further discloses configuring said web access apparatus to prevent access to said first and second of said plurality of configurable Input/Output ports by other services when a signal is being passed from said second of said plurality of Input/Output ports to said first of said plurality of Input/Output ports (Elson; paragraphs 3, 114-116, 140, and 147-148, preventing simultaneous access).

18. As to Claim 52, Elson and Venkatraman disclose each and every limitation of Claim 46. Venkatraman further discloses configuring said web access device to receive control information for controlling said first controllable electronic device via said web page (Venkatraman; Figures 2-3, column 1 lines 62-67 and column 2 lines 1-29; web server receives information to control resource).

19. Claims 42 and 49-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elson and Venkatraman as applied to Claim 38 and 46 above, and further in view of U.S. Patent No. 6,192,422 to Daines et al. (hereinafter "Daines").

20. As to Claim 42, Elson and Venkatraman disclose each and every limitation of Claim 38. Elson and Venkatraman do not explicitly disclose, however Daines discloses a buffer configured to temporarily store signals received at one or more of said plurality of configurable Input/Output ports (Daines; Abstract; buffers associated with input/output ports to store signals).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Input/Output ports, as disclosed by Elson, to include buffers, as disclosed by Daines, in order to manage congestion.

21. As to Claim 49, Elson and Venkatraman disclose each and every limitation of Claim 46. Elson and Venkatraman do not explicitly disclose, however Daines discloses configuring a buffer

to temporarily store said control signal received at said first of said plurality of configurable Input/Output ports (Daines; Abstract; buffers associated with input/output ports to store signals).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Input/Output ports, as disclosed by Elson, to include buffers, as disclosed by Daines, in order to manage congestion.

22. As to Claim 50, Elson and Venkatraman disclose each and every limitation of Claim 46. Elson and Venkatraman do not explicitly disclose, however Daines discloses configuring a buffer to temporarily store said status information received at said second of said plurality of configurable Input/Output ports (Daines; Abstract; buffers associated with input/output ports to store signals).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Input/Output ports, as disclosed by Elson, to include buffers, as disclosed by Daines, in order to manage congestion.

23. As to Claim 51, Elson, Venkatraman, and Daines disclose each and every limitation of Claim 49. Daines further discloses configuring said buffer to provide said status information to an event monitoring service (Daines; Abstract; buffers associated with input/output ports to store signals).

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VIVEK KRISHNAN whose telephone number is (571) 270-5009. The examiner can normally be reached on Monday through Friday from 9:00 AM to 5:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571) 276-9456. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrice Winder/  
Primary Examiner, Art Unit 2445

/V. K./  
Examiner, Art Unit 2445